



**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA VS. CHARLES TRANSLEY,)))))	Criminal No: 3:10-00105 Judge Trauger
---	-----------------------	--

MOTION TO DISMISS INDICTMENT

Comes now, Erik R. Herbert, counsel for defendant Charles Lamont Transley and Alex Little, Assistant United States Attorney, and respectfully requests that this Honorable Court dismiss the Indictment in this case. As grounds, the defendant, Charles Lamont Transley died on September 26, 2011.

Respectfully,

/s/ Erik R. Herbert
 Erik R. Herbert #18698
 222 Fourth Avenue North, Suite 100
 Nashville, TN 37219
 Phone: (615) 255-9595
 Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document has been transmitted via the Court's electronic filing system, and or via United States mail, postage prepaid, to Assistant U. S. Attorney Alex Little, 110 9th Ave., S. Suite A-961, Nashville, TN 37203 on this the 6th day of October, 2011.

/s/ Erik R. Herbert
 Erik R. Herbert